

**REGULAR MEETING – MAY 10, 2010 – DAY TOWN BOARD
UNAPPROVED MINUTES**

A REGULAR MEETING of the Town Board of the Town of Day, County of Saratoga, State of New York was held in the Day Town Hall, 1650 North Shore Road, on May 10, 2010.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:00 PM and the following answered roll call: Councilman Preston Allen, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray, Attorney David Avigdor, Highway Superintendent Scott York, Project Engineer Garry Robinson and Planning Board Chairman David Cox.

Motion, made by Charlie Dreyer, seconded by Suzanne Denn, to approve the minutes of the April 12, 2010 Regular Meeting and the April 13, 2010 Special Meeting.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson.

Carried 5 – 0

Motion, made by Suzanne Denn, seconded by Jeff Gray, to **approve the audited vouchers** as follows:

#291 - #311	Highway Fund	\$21,458.78
#265 - #290 & #312 - #313	General Fund	\$17,995.95
	T & A	\$ 165.28

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

Carried 5 – 0

Motion, made by Preston Allen, seconded by Charlie Dreyer, to **approve the April monthly reports** from the Code Enforcement Officer, Justice Krom, Justice Johnsen, Town Clerk and Jan. thru April Supervisor's reports.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

Carried 5 – 0

COMMITTEE REPORTS:

Highway Superintendent Scott York reports that most of the new speed limit signs have been put up. The additional signs needed for Glasshouse Road and Stone Road have been ordered. The highway crew is also picking up brush and continues to do some ditching work.

Highway Superintendent York also reports that the reuse center at the recycling center seems to be going well. Chipping will start on Tuesday May 11th, 2010 with the new chipper. Wood chips will be available to residents free of charge.

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The Comprehensive Review Committee will meet to review the rough draft with the Town Board on June 03rd at 5:00 PM.

The Day Community Projects Committee next event will be “Day” in the Park which will take place on July 17th, 2010. Bobby Dick and the Sundowners have agreed to play until 8:30PM and the tickets for the Brooks BBQ portion of the event have been printed. Volunteers to help with the event are needed.

Supervisor Mary Ann Johnson and Code Enforcement Officer Ken Metzler have been working on the Korean War and Vietnam War Veterans memorial. The stones for the plaques to be attached to have been put in place and the two plaques have been ordered. The price is \$2450.00 for both signs. The ceremony is scheduled to take place Sunday, June 13th, 2010.

OLD BUSINESS

The MWRRP grant has not been signed off on yet. The fence will need to be done first. Project Engineer Garry Robinson will speak with Palletti Stone to have them start delivering the material for the retaining wall. Driftwood Contracting is having a subcontractor do the excavation.

Eastside Metals will provide the container to collect the scrap metal in once the wall is complete.

Discussion regarding bids, which were opened at the April 12th, 2010 Regular Meeting, for a new highway truck took place between various people attending tonight's meeting including Rich Rae from Arrowhead Equipment and Tim Plant from T & T Sales along with additional representatives from each company.

The bids have been reviewed again by Attorney David Avigdor and Highway Superintendent Scott York. Discussion ensued regarding various points of the bid specs. Concerns from Arrowhead Equipment that T & T Sales did not meet the bid specs when they were awarded the bid were raised and various points were gone over by each company with input from Highway Superintendent Scott York on each point. At the end of the review of the bid specs Attorney David Avigdor advised the Town Board that there were various ways to proceed. The Town Board could decide that the facts before them when they originally awarded the bid were in error. The Town Board could decide to rescind, with a resolution, the bid awarded to T & T and then at that point could decide to award the bid to Arrowhead Equipment. The Town Board could also rescind the awarding of the bid, reject all bids, and then ask Highway Superintendent Scott York to re-bid for the Highway truck after some changes to the bid specs have been made.

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Supervisor Mary Ann Johnson suggested that perhaps a project engineer could help with new bid specs. Supervisor Mary Ann Johnson asked Project Engineer Garry Robinson if he could help with this and he agreed to look over the bid specs and make a recommendation.

Attorney David Avigdor thought that perhaps it would be appropriate to have the resolution from the April 12th, 2010 meeting be rescinded on the bases that the Town Board had incomplete and erroneous information regarding compliance with the bid specs that were offered for bid.

Resolution #2010-25, made by Mary Ann Johnson, seconded by Suzanne Denn, to **rescind the resolution** from the April 12th, 2010 Regular meeting which had awarded the bid to H.L. Gage Sales with T & T Equipment.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

Carried 5 – 0

Attorney David Avigdor reminded the Town Board that they did have the option to now reject all bids from the April 12th, 2010 Regular Meeting.

Resolution #2010-26, made by Preston Allen, seconded by Charlie Dreyer, to **reject all bids** from the April 12th, 2010 Regular Meeting.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

Carried 5 – 0

Project Engineer Garry Robinson re-confirmed that his firm does this type of work with bid specs and would look the bid specs for the purchase of the highway truck, plow and wing over and see if any changes needed to be made and help with the re-writing if necessary.

Also, Attorney David Avigdor explained that the Town Board can go back to when the bids were first opened, before any decision had been made.

Resolution #2010-27, made by Preston Allen, seconded by Charlie Dreyer, to **withdraw their resolution** to reject all bids.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

Carried 5 – 0

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Highway Supervisor Scott York reports that some speed limit signs on certain road will be replaced due to age.

Councilman Preston Allen feels that the David Weis property on the corner of Walter Maxfield Road should be surveyed and that also an engineer will be needed if it is determined that changes will be made. Attorney David Avigdor suggests that the Town may want to get its own survey. Attorney David Avigdor also feels that the Town should ask the County for input as we have had a request from a property owner who's land borders both a Town and County roads regarding the changing of an intersection.

NEW BUSINESS

On Tuesday May 18th at 2:30 PM there will be a ceremony in Ballston Spa honoring James O'Reilly as our deceased veteran from the Town of Day.

Highway Superintendent Scott York pointed out that the Highway Garage can use water from the new well that has been drilled by digging a ditch and running pipe to bring the water to the Highway Garage or that the old well closer to the Highway Garage could be re-drilled. Councilman Preston Allen stated that the cost of each option should be looked into before any decision is made.

Supervisor Mary Ann Johnson reports that the end of year AUD report for the Town has been completed and filed with the State Comptroller.

The Hudson River – Black River Regulating District is still pursuing various ways to generate revenue. National Grid has stated that it feels that the permit system is illegal.

The Standard Work Day reporting will be completed by May 31st, with the results being reported to the Town Clerk, who will file a report with the State by the of June.

Memorial Day garbage pick-up will be on Tuesday, June 01st. The Summer schedule for garbage pick-up will commence on June 07th with the North side of the lake being picked up on Monday's and the South side of the Lake on Tuesday's. Weekly pick-up of recycling will resume on Thursday, June 03rd. Recycling Center hours for the Summer will begin on Tuesday, June 01st.

Repairs by the County DPW will be starting next week on North Shore Road, County. Rte. 4, to the bridge near Glasshouse Creek Road. There will be one lane traffic.

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School Board Budget vote at the Hadley – Luzerne Central School on May 18th, 2010.

PUBLIC INPUT ON ANY RESOLUTIONS – None

Motion, by Preston Allen, seconded by Suzanne Denn, to **approve the following resolution:**

#2010-28 Proclamation recognizing James O'Reilly as the deceased veteran from the Town of Day 2010.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray

Carried 5 – 0

CORRESPONDENCE

From: State of New York Public Service Commission

Re: Implemented a program transmitting documents electronically

From: Leadership Saratoga

Re: Membership for 25th class

Input from Public – Councilman Jeff Gray reports that the GSLBA Flottilla plans are progressing and they will be putting up banners at both ends of Town regarding this and the BBQ. After the Flotilla transportation to and from the beach will be provided by Edinburg Marina for people with boats moored off the Park beach.

Attorney David Avigdor thanked Highway Superintendent Scott York for his help with the bid spec discussion.

Motion, made by Preston Allen, seconded by Jeff Gray, to **adjourn this Regular Meeting of the Day Town Board** at 8:57PM.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Jeff Gray, Supervisor Mary Ann Johnson

Carried 5 – 0

Carol Vaillancourt
Town Clerk

